

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty. Dkt. 3687-104

C# M#

CORAGGIO et al.

TC/A.U.

1638

Serial No. 10/521,811

Examiner: V. Kumar

Filed: April 19, 2005

Date: June 5, 2006

Title: USE OF SPECIFIC MYB GENES FOR THE PRODUCTION OF TRANSGENIC  
PLANTS TOLERANT TO BIOTIC AND ABIOTIC STRESSESCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION TO COMPLY**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment **15** minus highest number  
previously paid for **20** (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment **3** minus highest number  
previously paid for **3** (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)  
One Month Extension \$120.00 (1251)/\$60.00 (2251)  
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)  
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: **Paper and computer readable form of the Sequence Listing; Copy of  
Notification to Comply and Copy of Withdrawal of Previously Sent Notice** \$

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
GRT:apNIXON & VANDERHYTE P.C.  
By Atty: Gary R. Tanigawa, Reg. No. 43,180Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CORAGGIO et al.

Appln. No. 10/521,811

Filed: April 19, 2005

Confirmation No. 3796

Atty. Ref.: 3687-104

T.C. / Art Unit: 1638

Examiner: V. Kumar

FOR: USE OF SPECIFIC MYB GENES FOR THE PRODUCTION OF TRANSGENIC  
PLANTS TOLERANT TO BIOTIC AND ABIOTIC STRESSES

\* \* \*

**RESPONSE TO NOTIFICATION TO COMPLY**

June 5, 2006

**Mail Stop Amendment**

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply mailed April 14, 2006, entry and consideration of the following remarks are respectfully requested. But **no** nucleotide or amino acid sequence in accordance with 37 CFR § 1.821 et seq. is disclosed in this application. A sequence deposit with the EMBL accession no. Y11414 is cited on page 4 of the specification, but the cDNA and protein sequences of the Y11414 gene are not listed.

In discussions with Examiner Grunberg, it was agreed that the sequences of the Y11414 gene would be provided for the purposes of search and examination but that they would not be added to the disclosure as an amendment to the specification.

Applicants earnestly solicit an early and favorable examination on the merits.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

Gary P. Tanigawa  
Reg. No. 43,180

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/521,811	FIRST NAMED APPLICANT Immacolata Coraggio	ATTY. DOCKET NO. 3687-104
---	--	------------------------------

INTERNATIONAL APPLICATION NO. PCT/IB03/02878
---

I.A. FILING DATE 07/21/2003	PRIORITY DATE 07/23/2002
--------------------------------	-----------------------------

23117  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

CONFIRMATION NO. 3796

371 FORMALITIES LETTER



\*OC000000018543018\*

Date Mailed: 04/14/2006

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,811	PCT/IB03/02878	3687-104

FORM PCT/DO/EO/922 (371 Formalities Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov


U.S. APPLICATION NUMBER NO. 10/521,811	FIRST NAMED APPLICANT Immacolata Coraggio	ATTY. DOCKET NO. 3687-104
---	--	------------------------------

INTERNATIONAL APPLICATION NO. PCT/IB03/02878
---

I.A. FILING DATE 07/21/2003	PRIORITY DATE 07/23/2002
--------------------------------	-----------------------------

23117  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

CONFIRMATION NO. 3796  
371 WITHDRAWAL NOTICE

  
\*OC000000018014777\*

Date Mailed: 04/14/2006

### WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 05/31/2005 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the enclosed Notice. We apologize for any inconvenience this caused.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

PART 3 - OFFICE COPY